

### **III. REMARKS**

1. Claims 1, 9, and 12 are amended.
2. Claims 1 and 9 are amended to address the noted objections.
3. With respect to the rejection of claims 1,2, 5-11, 17 and 18 under 35 U.S.C. §112, first paragraph, support for the recited feature of "to initiate the downloading of the driver in response to a response signal from the extended unit" can be found in the specification as filed, at for example:

Page 3, lines 4-18;

Page 6, lines 5-16;

Page 8, line 38- page 9, line 19, particularly page 9, lines 7-14.

4. Claims 1, 5, 8, 9, 11 and 12 are not anticipated by Stern (U.S. Patent No. 5,935,249) under 35 U.S.C. §102(e).

Claim 1, as amended, recites that the interface unit is configured to automatically initiate the downloading in response to information obtained in a response signal from the external unit. The information indicates the presence of a new application in the external unit. This is not disclosed or suggested by Stern.

Stern discloses a system in which a host computer is provided with a Java enabled Network Interface Device, that is, an interface device for brevity. The interface device connects the host computer to a network. The interface device comprises a Java Virtual Machine that further comprises a Java Processor and a non-volatile memory, for example, a flash memory or an EEPROM. The interface device has a host bus interface towards the local system bus of the host computer and a network interface towards the external network. The interface device also comprises a volatile memory, control logic

and a carrier sense circuit. To the non-volatile memory within the Java Virtual Machine there may be loaded and installed serialized Java applets. Once installed the Java applets may listen on other TCP ports for other methods and altering object parameters. The Java Virtual Machine verifies that the serialized Java applets have valid digital signatures before they are installed for execution in the Java Virtual Machine.

Generally, the Java applets may be used to control the functioning of the interface device and thereby the host computer. The Java applets may intercept incoming and outgoing packets in transit between the host bus and an external network node, modify contents in the packets and generate packets of their own to the host computer as if they were generated in a remote node and vice versa. The Java Virtual Machine acts as a proxy device between the host computer and the external network. The Java applets may be used for a variety of tasks. The Java applets may hold software license tokens on behalf of a remote licensing node in order to ensure service continuity should the network connection experience a temporary failure. Stern also discloses a management applet, which allows remote nodes to issue management requests to interface devices. Thereby, it is possible to manage host computers via their interface devices. The management requests may be related to reducing bandwidth for lower priority nodes in case where a higher priority node temporarily needs to send a batch of high bandwidth traffic. The managed applets alter their network parameters in the interface device memory.

However, regarding independent claims 1, 9, and 12, applicant respectfully submits that Stern does not disclose or suggest the features of an interface unit configured to automatically initiate the downloading of the driver in response to information obtained in a response signal from the external unit, said information indicating the presence of a new application in the external unit.

Stern does not disclose the automatic initiation of the downloading of a driver in response to information obtained in a response signal from a remote node in the external network. Stern does not disclose that a Java applet is downloaded in the

interface device in response to information indicating the presence of a new application in a remote node in the external network. It should be noted that the Java applets in Stern are software components, the origin of which is verified with an electronic signature. Thus, Java applets may not be interpreted as the applications in the external unit, since it is the execution environment of the Java applets.

Stern is directed to providing secure network management functions. (Col. 4, lines 39-41). A server 204 includes application programs that are accessible over the network by computers 201, 202. Copies of the applications can be downloaded from server 204 for local execution. (Col. 4, lines 50-56). A network interface device implements the secure network management function.

In Stern, the network interface device 322 provides the sole access to items of security. (Col. 5, lines 56-60). The Java Virtual Machine 402 intercepts and interprets data passing from the host computer 405 to the network 440. (Col. 7, lines 15-20). The network functionality of the Java enabled Network Interface Device is to intercept IP traffic and determine if traffic may pass through. The traffic can include network management commands. (Col. 7, lines 36-54). What Stern does not disclose is automatically initiating the downloading of a driver in response to information obtained in a response from the external unit. The examiner refers to FIG. 7 and Col. 10, lines 29-48. However, this section of Stern only discussed downloading a Java applet. (object of value applets), which programs written in Java and compiled into byte-code instruction programs. In Stern, these object of value applets are loaded into flash memory where they will remain in place after a power cycle. (Col. 10, lines 29-31). The applets listen on TCP ports for actions, such to increase, decrease or otherwise mark the object of value. (Col. 10, lines 35-38). The Java applet plans the role of a proxy for the remote server, monitoring and responding to specific requests of that server as if they had gone over the network and returned from the server. (Col. 10, lines 49-52). What you do not see here or elsewhere in Stern is any teaching related to automatically initiating the downloading of a driver in response to information obtained in a response signal from the external unit. Col. 13, lines 52-57 only discusses the power-on reset

process for the Java enabled Network Interface Device. The configuration process involves loading Java OS and packet filtering at the IP level. This is not the same as what is claimed by Applicant where downloading of a driver is automatically initiated in response to information from the external unit where the information indicates the presence of a new application.

Stern relates to embedding a secure management function within a local network interface device. This is not the same as what is claimed by Applicant. Claims 9 and 12 recite similar features and are also not anticipated by Stern.

For at least these reasons, it is respectfully submitted that the amended independent claims 1, 9 and 12 are new and non-obvious over Stern.

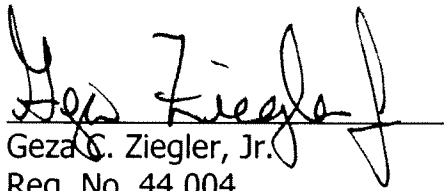
Since each of the independent claims of the present application are believed to be distinguished over the cited art, it is respectfully submitted that claims 2, 5 – 8, 10, 11 and 17-18 which depend from claims 1, 9 and 12, respectively are further distinguished over the cited art.

5. Claims 2, 6, 7 and 10 are not unpatentable over Stern under 35 U.S.C. §103(a). As noted above, claims 2, 6, 7 and 10 should be allowable at least by reason of their respective dependencies.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for a one-month extension of time along with any other fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

  
Geza C. Ziegler, Jr.  
Reg. No. 44,004

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Date

Perman & Green, LLP  
425 Post Road  
Fairfield, CT 06824  
(203) 259-1800 Ext. 134  
Customer No.: 2512

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Date: 22 August 2007

Signature: Shannon D'Amico  
Shannon D'Amico